

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Editorially amend the specification.
2. Amend claims 1 – 7, 9 – 11, and 12 to moot the rejections under 35 USC §112, second paragraph.
3. Provides replacement pages for Figs. 5 and 7.
4. Advise the Examiner of the simultaneous filing of a Petition to Extend.

B. THE CLAIMS ARE DEFINITE

The claims are not indefinite by reason of employing the phrase “complex video signals”. The concept of a complex signal is explained in the specification as having in phase and quadrature phase components (see, e.g., the paragraph at the bottom of page 2). Moreover, particularly in the context of Applicants’ disclosure, the person skilled in the art fully understands the complex nature of the signals. However, to moot the allegations entirely, Applicants have deleted the adjectives “complex” and “video” as modifiers of “signals”.

In a further effort to appease the Examiner, Applicants have amended the phrase “signals being represented in a ...channel” with “signals being carried in a...channel”. Applicants submit that the person skilled in the art indeed understands what is intended by the original phrase, e.g., that signals are associated with a channel over which the signals are conveyed or transported so that they may be acquired. The amendment is thus deemed merely editorial in nature for possibly rendering the claim language more consistent with U.S. English language grammar.

At several junctures the office action objects to claim phraseology such as “arranged to ...”, alleging that such language does not unclearly and definite claim the particular arrangement that achieves the expressed functional result. Applicants see no basis for this rejection in MPEP §706.03(d). Applicants submit that the office action is too restrictive in this regard and that Applicants are permitted to claim certain structure in terms of functional operation thereof. Moreover, stressing the appropriateness of the “arranged to...” phraseology, Applicants have included comparable phraseology in certain claims in lieu of the phrase “set up”. While the phrase “set up” is also deemed appropriate, Applicants have selected the “arranged to...” phraseology for sake of consistency.

C. THE DRAWINGS

Submitted herewith electronically on even date are replacement pages for Fig. 5 and Fig. 7. The replacement page for Fig. 5 provides the label “receiver arrangement” for element 9; the replacement page for Fig. 7 provides the label “+ and/or -” for element 15 and the label “A/D” for element 18. For support, *see*, e.g., the second full paragraph on page 5, the last paragraph on page 25, and the first paragraph on page 26. Entry of the replacement pages is respectfully requested.

D. MISCELLANEOUS

No prior art rejections are extant. In view of resolution of the drawing objections and claim rejections under 35 USC §112, second paragraph, the application is believed to be in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

ERIKMATS et al.
Serial No. 10/538,044

Atty Dkt: 3670-58
Art Unit: 3662

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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